

State of South Dakota

SEVENTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 1998

862B0861

HOUSE CONCURRENT RESOLUTION NO. 1017

Introduced by: Representatives Schaunaman, Brown (Jarvis), Chicoine, Diedrich, Duxbury, Fischer-Clemens, Gabriel, Gleason, Haley, Jaspers, Kazmerzak, Koetzle, Lee, Lockner, Lucas, Moore, Schrempp, Sperry, and Waltman and Senators Symens, Aker, Benson, Dennert, Drake, Dunn (Rebecca), Flowers, Frederick, Halverson, Hunhoff, Kloucek, Lange, Lawler, Olson, Reedy, and Whiting

1 A CONCURRENT RESOLUTION, Requesting railroad companies to reconsider certain
2 corporate policies with regard to unit trains.

3 WHEREAS, the American rail system is and has been for many years grossly
4 undercapitalized; and

5 WHEREAS, a primary result of this undercapitalization has been the curtailment of rail
6 services to rural areas with a subsequent devastating impact on small towns and agriculture; and

7 WHEREAS, corporate policies favoring unit trains have had a chilling effect on local rail
8 service and have unfairly discriminated in favor of a handful of big players; and

9 WHEREAS, railroads, with foresight and goodwill, could refine their policies on unit trains
10 to provide a degree of flexibility and innovation which could lessen the negative effect on
11 regional services and still provide economic benefits to the rail lines:

12 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Seventy-
13 third Legislature of the State of South Dakota, the Senate concurring therein, that the

1 Legislature encourage all rail companies to reevaluate their unit train policies and, at a minimum,
2 to provide that when two or three grain elevators are located on the same rail line and are served
3 by the same rail carrier, and the distance between the two elevators farthest apart does not
4 exceed forty miles by rail, and the elevators tender shipments of not less than one hundred eight
5 rail cars on the same day on a single bill of lading, with no fewer than twenty-seven rail cars
6 originating from any one of the elevators, at the election of the elevators the shipments shall be
7 combined and considered as a single one-hundred-eight-car shipment from a single loading
8 station for the calculation of rates, rail car supply, and for all other purposes in contractual
9 arrangements with the rail carrier.